

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	
	:	
VERA D. McFARLAND,	:	BANKRUPTCY NO. 24-12994-amc
Debtor	:	
	:	CHAPTER 13
	:	
U.S. BANK, NATIONAL ASSOCIATION,	:	
TRUSTEE FOR PENNSYLVANIA	:	L.B.R. 9014-3
HOUSING FINANCE AGENCY,	:	
Movant	:	HEARING: JANUARY 14, 2025
	:	at 10:00 A.M.
vs.	:	Robert N.C. Nix, Sr.
	:	Federal Courthouse
VERA D. McFARLAND and KENNETH E.	:	900 Market Street
WEST, Trustee,	:	Courtroom #4
Respondents	:	Philadelphia, PA 19107

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

TO THE HONORABLE ASHELY M. CHAN, U. S. BANKRUPTCY JUDGE:

AND NOW comes U.S. Bank, National Association, Trustee for Pennsylvania Housing Finance Agency, by its attorneys, Purcell, Krug & Haller, and files this Motion to Obtain Relief from the Automatic Stay pursuant to Section 362(d) of the Bankruptcy Code as follows:

1. That this is a contested matter under Rule 9014 brought pursuant to 11 USC Section 362(d).
2. Movant, U.S. Bank, National Association, Trustee for Pennsylvania Housing Finance Agency, is a company with an office located at 211 North Front Street, Harrisburg, Pennsylvania 17101.
3. Respondent, Vera D. McFarland is an adult individual whose last known address is 6153 Catharine Street, Philadelphia, PA 19143.
4. Respondent, Kenneth E. West, is the Trustee duly appointed in the above case with a place of business at 190 N. Independence Mall West, Suite 701, Philadelphia, PA 19106.
5. On or about March 7, 2012, Respondent executed and delivered a Mortgage Note in the sum of \$87,718.00 payable to RBS CITIZENS, N.A., which Note is attached hereto and marked Exhibit "A".

6. Contemporaneously with and at the time of the execution of the aforesaid Mortgage Note, in order to secure payment of the same, the Respondent made, executed, and delivered to original Mortgagee, a certain real estate Mortgage which was recorded in the Recorder of Deeds Office of Philadelphia County, Pennsylvania on March 19, 2012 as Instrument #52460242 conveying to original Mortgagee the subject premises. The Mortgage was subsequently assigned to PENNSYLVANIA HOUSING FINANCE AGENCY and was recorded in the Recorder of Deeds Office of Philadelphia County, Pennsylvania on March 19, 2012 as Instrument #52460243. The Mortgage was further assigned to U.S. BANK NATIONAL ASSOCIATION, TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY and was recorded in the Recorder of Deeds Office of Philadelphia County on November 15, 2013 as Instrument #52720241. The said Mortgage and Assignments are incorporated herein by reference.

7. The land subject to the Mortgage is known and numbered as 6153 Catharine Street, Philadelphia, Pennsylvania 19143

8. The balance owed Movant is approximately \$95,500.00.

9. Other liens against the property per Debtor's Schedules: Lien held by Water Revenue Bureau in the amount of \$500.00.

10. The value of the real estate is approximately \$155,000.00 (per Debtor's Schedules).

11. Debtor has failed to make any postpetition mortgage payments to Movant since filing bankruptcy on August 28, 2024, consisting of three (3) payments in the amount of \$808.24 each and one (1) payment in the amount of \$754.57, totaling \$3,179.29.

12. Movant is entitled to relief for cause.

WHEREFORE, Movant prays for the entry of an Order terminating the automatic stay and granting Movant leave to exercise its State Court foreclosure rights and that such further relief be granted as your Honorable Court deems fair and equitable.

PURCELL, KRUG & HALLER

By: /s/Leon P. Haller

Leon P. Haller

Attorney for Movant

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Date: December 17, 2024